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7 **UNITED STATES DISTRICT COURT**
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
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10 OSCAR GATES,

11 Petitioner,

12 v.

13 KEVIN CHAPPELL,

14 Acting Warden of San Quentin State Prison,

15 Respondent.
16
17

No. C 88-2779 WHA

DEATH-PENALTY CASE

ORDER

18 Petitioner is a condemned inmate at San Quentin State Prison. Although he is
19 represented by counsel, petitioner has recently filed a Motion for Summary Judgment and
20 Issuance of Direct Writ of Habeas Corpus *in propria persona* and without the assistance of
21 counsel.

22 Because petitioner is represented by counsel, any motions of this type should be filed by
23 counsel. Accordingly, the Court DENIES WITHOUT PREJUDICE petitioner's Motion for
24 Summary Judgment and Issuance of Direct Writ of Habeas Corpus.
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26 **IT IS SO ORDERED.**

27 DATED: June 29, 2013
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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE